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THE
S A M E N E S S

OF

Bishops and Presbyters,

AS TO

O R D E R,

Tho not as to

D I G N I T Y,

No less briefly than clearly prov'd :

And likewise,

That Laymen are as essentially the Church as
Clergymen; having as much authority to
declare the Traditions of the Church, and
consequently to determine Controversies.

W I T H

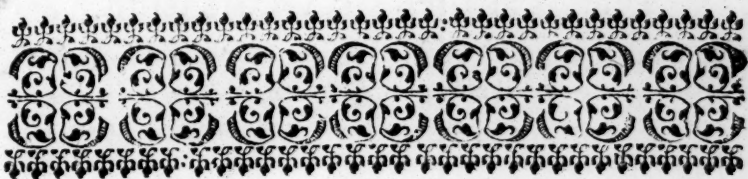
A Defence of Universities against the Pope and
Bishops, &c. in a Letter from a Doctor of the
Sorbonne to the Bishop of *Autun*.

*Translated from the French, and humbly dedicated to
his Grace, the Archbishop of Canterbury.*

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T H E

Translator's Dedication,

To the most Reverend

Dr. WILLIAM WAKE,

Lord Archbishop of Canterbury.



A M so well satisfy'd, My Lord, of your care and vigilance on behalf of Religion, that I am perswaded neither the inspection of your large Province; nor the arduous Affairs of State about which you are daily consulted, can hinder your Grace, from being singularly attentive to what is now transacting in our neighbouring Country of France; where Nature seems to be in violent pangs, labouring to bring forth something extraordinary: which I pray God

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may prove favourable and fortunate, as well to the British Nation as to the Reform'd Religion. Nor indeed were there ever more promising hopes of a durable Reformation in France, than at this very Juncture. If your Grace did not understand French so well, and had not one of the famousest Churches in the world been committed to your Charge; yet barely considering you as a man of profound Learning, none can suppose you a Stranger to the Affair of the Constitution UNIGENITUS, wherein so many Propositions maintain'd by all good Protestants, most of them extracted out of the holy Scriptures, and many of them conceiv'd in the very words of the Gospel, are impiously condemn'd by the Pope, who by this very proceeding truly manifests himself to be Antichrist, setting himself in the place of God; nay and exalting himself above the Divine Majesty, in as much as he curses what he has blest, and forbids what he has commanded. But as every particular Incident relating to that Constitution may not come to your knowledge, so I beg leave to acquaint your Grace, that twenty eight of those Bishops in France, who purely and simply accept it (to use their slavish language) having presented two Memorials about it to his Royal Highness the Regent, they assert therein, among other things, that the Bishops are the only Pastors of the Church properly so call'd, and that the Presbyters are but their Delegates or Curates. This Doctrine is no less contrary to Scripture and Reason, than that of the Jesuits and other shawelings of the Romish Synagogue, who would needs have the Pope to be the only Pastor, and the Bishops to be but his Curates or Substitutes. But I am sorry I can affirm, that many Protestants have been Popish enough to maintain the first of these Doctrines, how loudly soever they cou'd declaim against the second; which made all the Ministers in the Episcopal Church of Scotland, while it subsisted, to be commonly call'd by no other name than that of Curates, nor to be otherwise indeed accounted.

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counted. The secular Priests in France, who have made so noble a stand of late against the Pope's Pretensions and Incroachments, especially his Infallibility, cou'd not bear with this intolerable degradation of their spiritual Character by some of their Italianiz'd Bishops, which made them enquire a little more narrowly into the Original of these things (the most natural step towards a Reformation) and the result of their enquiry from Scripture and Antiquity is, that Presbyters are the onely Pastors, Bishops being no otherwise Pastors than as they are Presbyters: since these words are synonymous appellations of one and the self same Order, however the word Bishop may be peculiarly apply'd to any one among the Presbyters, appointed to preside over the rest in any Church or District, and to be their spokesman or representative in Synods, Councils, or upon any other occasion. This is the subject of a Letter which I do my self the honour to transmit to your Grace, and which was written by a Doctor of the Sorbonne to the Bishop of Autun, one of the twenty eight Memorialists above-mention'd. The reason of my giving your Grace this trouble is, that I hope it may be of some use in forwarding an accommodation of our differences at home, about the diversity or identity of Bishops and Presbyters. Nothing has more retarded an agreement in other matters than this very dispute; nor has any thing more scandaliz'd our brethren of the Foreign Reform'd Churches, than that their Ministers are re-ordain'd in England, while profelyted Popish Priests never are: as if all Ordination by mere Presbyters were null and void; and that Ordination by Bishops alone (however corrupt) were valid and effectual. This Doctrine is contrary to the express words and examples of Scripture; to the soundest, that is, to the oldest Antiquity, if I may speak so: it is contrary to the Doctrine of all the first Reformers both at home and abroad, and to the Sentiments of a very considerable number of Bishops and other Clergymen of the establish'd Church at this time, and of
vast

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vast numbers of the Laity who conform to it. All these unanimously reject the notion of Bishops being a distinct order from Presbyters ; that Presbyters can onely be ordain'd by Bishops, but not vice versa ; that there must be an uninterrupted Succession of such Bishops from the Apostles to this time ; and that without such an Episcopal Succession and Ordination, there can be no regular Ministry or Sacraments. On the contrary they allow, that in all Meetings of Persons otherwise equal, to debate or resolve upon any thing, there ought naturally to be a President or Foreman for order-sake chosen among them ; either to propose their questions, or to gather their voices, or to moderate in their disputes, or to speak in their names : and therefore, whether this President be call'd a Bishop in Greek, a Superintendent in Latin, or an Overseer in English (all words of the same signification) whether he be call'd a Moderator, a Chairman, or by any other equivalent name, they matter it not ; provided the primitive idea, and the thing it self, be carefully retain'd. Now, My Lord, if such numbers of our own Church, over and above the Protestant Dissenters of all Sorts, be of this mind ; if they admit of no distinction of Order, by divine appointment, between Bishops and Presbyters ; and yet acknowledge that a President may no less by humane appointment, than by divine example, be chosen occasionally, or even for life if not misbehaving : if they are, I say, for the primitive Episcopacy, in which one stated President, together with his Presbytery, or the Ministers of his district, govern'd their Church by spiritual Laws ; but not for Diocesan Episcopacy, in which one Bishop, without his Presbytery, governs many thousands by a Lay Chancellor and other Officers, whose very names are unknown to all Antiquity, by secular laws : if this be so, I repeat it, why shou'd not the Reformation be completed here at length in this respect ? Why shou'd not all Protestants be made easy in this essential Point at home ? and why shou'd we

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not lay aside the odious Re-ordination of those abroad? Must the Popish Priests of France outstrip us in this regard, and jump at once into a perfect Reformation, while we are for near two ages canvassing of one Article? What reason can there be against restoring the old Episcopacy, but either to gratify the Papists, or to retain immoderate Power in some hands, where it ought least of all to be plac'd? These are motives I cou'd not resist, to lay this matter seriously before your Grace; as one perfectly well acquainted with the Constitution of the Foreign Churches, and that has signally oppos'd the extravagancies of some of our own Clergymen. As you appear to be none of those of whom it can be said, that the Bishop has spoilt the Doctor; and that I presume you wou'd rather be thought to resemble Abbot or Tillotson, than Whitgift or Bancroft: so I am not without hopes, that you'll influence matters for the honour of the Church of England in such a manner, that the Clergy themselves may soon offer a Plan of Reformation in this particular to the Parliament; together with such other convenient Alterations in our Liturgy and Discipline, as may unite most of our People, and not so much estrange the rest as hitherto. Then it will no longer be said of all Churches without exception, that no Reformation is to be expected from them, unless the State take the matter into their own hands, and do it without them. No body, from your constant behaviour, can imagine that your Grace wou'd emulate one of those Archbishops I have just nam'd; who, while a Doctor, complain'd most grievously of the High Church impositions, to express my self in our modern Dialect: but none was for pressing them more, when once he became Archbishop of Canterbury; none more rigorous, or haughty, or fonder of Power, to the no less disappointment than mortification of all moderate men. But you are of another-guess Spirit from this Prelate, My Lord, who complain'd to Queen Elizabeth, that the Parliament had

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had past a bill, giving liberty to marry at all times of the Year without restraint; contrary to the old Canons continually observ'd among us (*says he*) and containing matter which tenderth to the slander of this Church, as haveing hitherto maintain'd an error. *As there it is, this is the main obstruction at this very time against any further Reformation; the apeing of a very late Antiquity (permit me to speak so) when the pride of Antichrist began to show it self apace: but, for God's sake, let's quit this fantastical humour, and childish hankering after Infallibility; let us be more proud of amending an error, than asham'd of haveing fallen into one. The longer we have persisted in any, the sooner we shou'd quit it; especially when experience has convinc'd us of the fatal consequences of our delay, as in this same contest about Episcopacy. I am the more dispos'd still to hope for an accommodation in this Article, by the influence and intervention of your Grace; because no man is more deservedly applauded, for being so comprehensive a master of antient and modern History. Wherefore I appeal to your self, My Lord, whether Wicklif, our first Reformer, did not think all other degrees, but those of Presbyters and Deacons, not only to be contrary to the New Testament, but also to be the effects of imperious Pride? Whether the Institution of a Christian Man, compos'd under Edward VI, acknowledges any more than two orders of Ministers in the Church? whether our first Prelates, that seal'd the Reformation with their Blood, did not all declare for the same thing? And whether all the Reform'd Churches in the World, did not both teach and practise it? the Superintendents that were formerly in Scotland, and that are still in Germany; and the Bishops that are both in Denmark and Sweden, being one and the same thing: differing in their sound, but agreeing in their nature. This is undeniable. We are very apt, I confess, to say, that had it not been for the necessity of their*
affairs;

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affairs, the Reform'd abroad wou'd have set up our Platform of Church Government : whereas in reality we our selves are the Persons, whom necessity constrain'd to proceed hitherto no further, and particularly to retain this distinction of order between Bishops and Presbyters, to retain Deans, Archdeacons, Lay-Chancellors, Commissaries, Officials, Prebendaries and Canons, Chanters, with I know not what names and offices besides. The unsettl'd disposition of Henry the eighth, the short-liv'dness of Edward the sixth, the womanish and gawdy temper of Queen Elizabeth, the persecuting Spirit of some of her Bishops, but, above all, the Popish inclinations of most of the Scottish line, are the true causes that have necessitated us to bear so long with these things : whereas 'tis certain, that the People in general have been from the beginning for a more perfect Reformation, that they have been against the excessive pomp and grandeur of Clergymen, against superstitious habits of Heathenish original, against a multitude of unwarrantable or useles Ceremonies, and against symbolizeing in any other manner with Popish Superstition, Idolatry, and Tyranny. They were not averse to such things meerly because they are Popish, as some folks poorly imagine ; but because in their own nature they thought 'em also inconvenient, or of evil tendency, or contrary to the designs of the Gospel : and the stale pretense of thus bringing over the Papists, has had the quite contrary effect, even of carrying over to them many Protestants. The least excusable of all those necessities, is the unevangelical conduct of our persecuting Bishops in those days : Persecutors, I say it, of their Puritan brethren, who were fellow Sufferers and fellow Confessors with them in the Marian Persecution ; Persecutors to deprivation, imprisonment, and banishment, nay to fire and faggot, to gibbets and gallows, of such as declar'd for a greater simplicity of worship, or a stricter discipline than themselves.

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selves. It seems really monstrous, that any should be put to Death on such accounts by those, who so lately declaim'd against such sacrificers of men for conscience-sake. If your Grace did not know these things as well as any man living, I shou'd not have grudg'd my pains to give you particular Proofs of them; and am ready to do so, whenever honour'd by your commands. I cou'd likewise add many other Proofs no less demonstrative from Antiquity, to those contain'd in the following Letter, of the Identity of Bishops and Presbyters: but that I esteem all such proofs superfluous, where the Scriptures themselves are so clear; for appealing to the Fathers in things where the Scriptures are plain, is artfully spinning out of Disputes, obscuring what is manifest, perplexing what is simple, and going out of the light to read in the dark. Yet if the matter were to be decided by the Writers of Antiquity, those of the greatest antiquity (who to be sure must be the best, if there be any weight in this Plea) are all for the side of the Question that I espouse, as do many thousands of other Conformists in your Grace's Province. Clemens Romanus and Polycarp declare as peremptorily for two Orders only, and those chosen by the People, as words can declare any thing: so do the other Writers, for a Bishop as a presiding Presbyter, but not for a distinct order of Bishops, down to Jerom; who, in his Epistles to Evagrius and Oceanus, and in his Commentary on Titus, irrefragably proves the identity of Bishops and Presbyters, both as to name and order. But the Fathers, as I said, are quite out of the question; and when they are cited, 'tis not to admit their authority, but to show how little reason others have to appeal to it: or 'tis done historically, to show by what degrees the Church was corrupted, when such or such an error began, when such a Superstition crept in, and to show what was establisht at any time, beside the Scripture, or contrary to it; as
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this same distinction of order, between Bishops or Presbyters, came in by degrees, but did not arrive at its perfection till the fourth Century, if it did so even then. I believe upon the strictest inquiry (says Bishop Stillingfleet in his *Irenicon*) Medina's judgment will prove true, that Jerom, Austin, Ambrose, Sedulius, Primasius, Chrysostom, Theodoret, Theophylact, were all of Aërius's judgment, as to the identity of both name and order of Bishops and Presbyters in the primitive Church. Yet how unaccountably tenacious are some men of this unscriptural distinction, contrary to the peace of our own Church, and our unity with other Churches! for uniformity is a thing neither desirable nor possible: it did not obtain among the Apostles themselves, nor in the whole Christian Church at any time, nor in any particular Church without an Inquisition, or some other degree of persecution. So fond nevertheless are some of our bigotted or aspiring Churchmen of this notion of Diocesan Episcopacy, that there's no shift or subterfuge to which they have not recourse, to prove that 'tis not day at noon; for this may be prov'd as easily, as that there are three orders in Christ's Church by Divine appointment. I have been perfectly ashamed on the behalf of humane nature, when I consider'd the miserable evasions, equivocations, and other Sophisms, to which men have been driven, who make profession of teaching the truth. They frequently give the torture to their invention, or to the Scripture by a false translation of it; or they unmercifully rack and mangle those Fathers, they pretend to revere. Mr. Dodwell by desperately putting Diocesan Bishops, and the Canon of the New Testament, on the same foot of evidence; got the truth of the Canon doubted, and yet such Bishops not believ'd. Nor is their Conduct sometimes less extravagant or unfair, when they perpetually confound what is peculiarly said either of the extraordinary or of the ordinary

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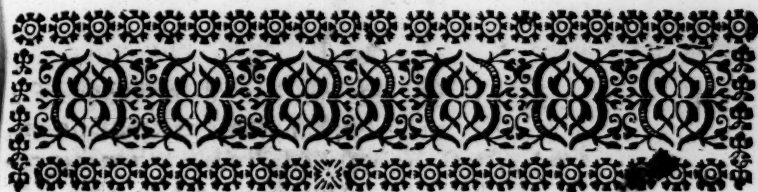
inary Ministers of the Gospel, with what is said in common to both of them: things in themselves easily distinguish'd. At other times they go a begging for suffrages to a few misinform'd, ambitious, or hungry Forreigners; or disclaim'd by the practice of their own Churches, or these persons owning even themselves at last, that things were misrepresented to them: besides that we need never doubt, but several men in those Churches (as no Church is without a Diotrephes) wou'd be very glad to have Mitres, Thrones, and Palaces; as the Voices of others are known to have been farr better paid, than any votes at our elections of Parliament. But there's a way of avoiding all those extreams, and of letting men keep their integrity, as well as of keeping Bishops in the Church; which is, to restore the primitive Episcopacy I have describ'd above, and to which your Grace will most undoubtedly concurr, under the happy auspices of our truely Protestant King, who has so much at heart the Union of his own Subjects, and the welfare of the Reform'd Interest every where. The few Popish and half Popish things that are intermixt in the following Letter, and easily discernable (as it cou'd not well be otherwise in a man not thoroughly Reform'd) must not prejudice us against what is visibly Protestant in it; but rather let us profit by the example here set before us, and pray to God, that those Priests (now manfully contending for their Christian Liberty in France) may come up to us in other things, as they are going beyond us with relation to Episcopacy. I have translated this Letter for more common information, and shou'd be not a little glad if I might be serviceable herein, or in any other matter to your Grace; being with profound respect,

My Lord,

Your Grace's most obedient humble Servant,

The Translator.

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T O T H E

Lord Bishop of Autun,

O C C A S I O N ' D

By two Memorials presented to his
Royal Highness the Duke of Orleans,
the 13th of March, 1717. by twenty
eight Prelates, whereof his Lordship
was one.

My Lord,

I T is a Doctor of the Faculty of Divinity
of *Paris*, who takes the Liberty this day
to address his complaints to you, on
occasion of the most injurious manner in
which your self, and the twenty seven
Prelates that are join'd to you by in-
terest and sentiments, have treated a
body, whereof he values himself for being a member,
and for whose honour he wou'd make no difficulty of
sacrificing whatever is dearest to him in this World.

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Such as this ought to be the constant disposition of a Doctor of the Faculty of *Paris*, and this is what he engages at the Altar of the holy Martyrs, when he receives the Doctoral Cap. You have taken this Engagement, My Lord, like others; and, give me leave to tell you, that of twenty eight of you who have sign'd those Memorials, twenty four have the advantage to be Members of the most celebrated Faculty in *Europe*: but an advantage, of which it wou'd be no more than justice to deprive you, since you list your selves with so much fury against a mother that has given you your education, and of whom you have learnt all that you know; nay, to deal sincerely with you, if the soundest part of our Doctors had been heard, we shou'd quickly have raz'd out of our Registers, the Names of those who speak so disrespectfully of the Faculty. As to the other four who are not of it, I assure your Lordship with the same sincerity, that we shou'd be very sorry they had been members of a body, with whose Doctrines and Maxims they are so little acquainted: Men, I say further, who are so little vers'd in the Canon Law of the *Gallican Church*.

But this is not the Subject of the Letter I am doing my self the honour to write to you: for I am going to entertain your Lordship with the mistakes and false imputations, with which the Author of your Memorials has taken care to cram them. I say it to you without any disguise, that never piece did less honour to the Episcopal Order than that same. All they who speak of it, never stick at calling it a piece of Nonsense; adding, that it seems to be some young Declaimer, exercising himself in his profession, and not grave Bishops, that speak. In effect, has the man who lent you his pen thought seriously of the matter? when he says, that they are the Bishops alone whom the holy Ghost has ordain'd to govern the Church; and that it is therefore to them only that every thing belongs, which is essential to that Government: bringing as a Proof of this grave decision, those words of

of the Acts of the Apostles, *The Church of God over which the holy Ghost has made you Bishops*. Where has this illuminated interpreter found, that this Passage concerns Bishops, now properly so call'd? and how came it, that none of you perceived that the word BISHOPS is in this place an Adjective, meaning OVER-SEERS, the name of a Dignity and not of an Office, not a different Order, but a different degree in the same Order? Ought you not to have remark'd, that when St. Paul order'd * fifty Ministers of the Gospel to come from Ephesus to Miletus, where he then was, to confer with them, before he shou'd go to celebrate the Feast of Pentecost at Jerusalem, he did equally call thither the Bishops and Presbyters of that City and the adjacent Places? Had you consulted the least Commentator with the slightest attention, he wou'd have set you right; the most jejune interpreter cou'd have open'd your eyes, with relation to this Passage. And in good earnest, what probability is there, that already in Saint Paul's time, there were fifty Bishops at Ephesus, or even thereabouts? Were it thought necessary to refute with the least degree of seriousness so gross a mistake (such a mistake as might shock any reader, tho never so little exercis'd in the Scripture-stile) I wou'd immediately cite the Testimony of Saint Irenæus, who, upon the 17th verse of this same Chapter of the Acts, says in precise † terms, that the Bishops and Elders who were in Ephesus and the adjacent Places, were sent for to Miletus by the Apostle Saint Paul. I wou'd also cite venerable Bede, who thus speaks upon the Place that you have § quoted, *As to that Passage*

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* This Number is a Licence of Ecclesiastical History, the Acts of the Apostles not specifying any number.

† Lib. 3. Advers. Hæres. cap. 14.

§ Ad illud (in quo vos posuit Episcopos) dictum est supra Presbyteros Epheso Miletum fuisse vocatos, quos nunc Episcopos, id est, Superinspectores vocat: Non enim una Civitas (Ephesus)

[over which the holy Ghost has made you Bishops] It is said above, (ver. 17.) that Paul sent from Ephesus to Miletus for the Elders, whom he now (ver. 28.) calls Bishops, that is to say, Superintendants or Overseers: for that one City of Ephesus had not several Bishops; but, under the Name of Bishops, he means the same Presbyters. For the degree is conjunct, and in many things most like. After haveing heard Bede, lets hear, if you please, Ecumenius. * The People of maturest age (ver. 17.) are sometimes call'd Elders, and sometimes Presbyters: but in this place (ver. 28.) the word does rather betoken honour than age. Seeing therefore many People are ignorant of the idioms, or peculiar ways of speaking, especially of the New Testament, wherein Bishops are call'd Presbyters, and Presbyters Bishops; this may be likewise perceiv'd as well out of the Epistle to Titus, as out of Tit. 1. 5, 7. that to the Philippians, and the first to Timothy. Ecumenius adds † further, That the same who are in verse 17 called the Elders of the Church, 1 Tim. 3. or in Greek Presbyters, are in the 28th verse call'd I, 2, 8, 9, Bishops: not that all Elders were Bishops, but that &c. these appellations are often us'd for each other in the Scriptures.

A Proof of what I have been now alledgeing, is likewise to be found in the Theses maintain'd in the provincial Chapter of the unshod *Augustins* at *Marseilles*, the

sus) plures Episcopos habuit; sed eisdem Presbyteros, pro nomine Episcoporum, significat. Conjunctus est enim gradus, & in multis simillimus. *Comment. in Act. & Epist. Veronæ, 1532.*

* Majores natu (ver. 17.) nunc seniores dicuntur, nunc Presbyteri. Hoc loco (ver. 28.) potius honorem indicat quam ætatem. Quoniam ergo multi loquendi modum ignorant, maxime novi Testamenti, quo Episcopi nominantur Presbyteri, & Presbyteri Episcopi, hoc animadverti potest tum ex Epistola ad Titum, & ad Philipenses, prioreque ad Timotheum.

† Scilicet qui vocantur majores natu Ecclesiæ seu seniores, & Græcæ Presbyteri, iidem mox (ver. 28.) vocantur Episcopi: non quod omnes Presbyteri fuerint Episcopi, sed quod illa nomina sæpe in sacris literis confundantur.

17th of April last ; and this Proof is furnish'd me by People, whom you cannot suspect : for he that says Augustins, Cordeliers, Capucins, Recollects, Theatins, and the remaining Muster Roll of begging Fryers, says Persons servilely devoted to the Bishops, and ridiculously intoxicated with all the ultramontan Fables. In the last Position of those Theses, dedicated to the Bishop of Marseilles who was present, 'tis affirm'd that * BISHOP is a Name of Office, formerly common to all Priests of the first and second Order ; but afterwards adapted to design a special degree and dignity.

Monsieur de Sacy is one of the best and most solid Commentators of Scripture, that has appear'd in these latter Times. None, I am sure, wou'd pretend to contest it. Now he remarks upon this place, in his excellent Commentary, that Saint Paul makes use of two Motives for ingageing the Bishops to watch over their Flock. The first Motive is, because it is their Office ; for the Word BISHOP, adds he, signifies an INSPECTOR, or OVERSEER, and presents us with the Idea of one that takes care of, or watches over something : the second Motive is, that doing otherwise wou'd be neglecting what Jesus Christ has purchased at the price of his blood. What the Apostle says here (continues Monsieur de Sacy) seems to have some relation with what he says to Timothy, desiring 1 Tim. him to charge some at Ephesus that they teach 1. 3.

no other Doctrine, &c. You see then, my Lord, that after having said that Saint Paul exhorts the Bishops to Vigilance, he adds, that the Disciple who was of the number of those Bishops, might also be one of those Elders of Ephesus, whom he sent for to Miletus.

If you run over all the Commentators, you'll not find any one of them who will not tell you, that the

* Episcopus nomen est Officii, omnibus primi & secundi ordinis sacerdotibus olim commune ; postea ad designandum specialem gradum & dignitatem adaptatum fuit.

very Persons, who in the 28th verse of the twentieth Chapter of the *Acts*, are call'd BISHOPS, are the same who in the 17th verse beforegoing are call'd ELDERS or PRESBYTERS; and that, according to the Grammatical Sense, the Word BISHOPS can have no other Signification in these Places but that of OVERSEERS: and had you but look'd back to the two last Centuries, you might have consulted many authors, and especially * *Haræus*, who being a very good interpreter, cou'd have kept you from such a blunder as you have committed. You might have consulted *Beza* and *Piscator*, who say that by the word Bishop ought to be understood an Employment, which lays the person that is cloathed with it, under an obligation to watch over the Flock; and that this is the Idea that ought to be form'd of it, *invigilare gregi, & circumspicere, & amoliri noxia*. *Piscator*, among other things, remarks upon this Place, that the Pastors are also Overseers, *Inspectores seu Curatores*. *Lightfoot*, in his Harmony of the New Testament, says, † That the persons concern'd here, were the principal Presbyters, who, conjointly with the Bishop, govern'd the Church. I own however, that there were some Writers who believ'd that Saint *Paul* spoke in this Place of real Bishops, such as we now have. But what sort of Writers, think you? Indeed, a sort of Rabbins. Such authors, its true, have had the confidence to affirm, that Saint *Paul* did not send for any others to *Miletus*, but such as were the Bishops of several Cities in the Province of *Ephesus*. But they are not authors of this stamp, who ought to determine the true sense of the sacred books: and yet doubtless it must be out of these excellent sources that you have drawn your water; for I know of no others that could furnish you with so singular an explication.

* *Haræus* was a Native of Utrecht, a Canon of Lovain, and a Doctor of Divinity.

† *Synopf. Critic.* 10. 7. p. 2374.

Estius, as favourable as he's to the Bishops, cannot forbear nevertheless to acknowledge, that the words Bishops and Elders, or Presbyters, were synonymous in the age of the Apostles; as also in the Primitive Apostolick times, and that they signify'd precisely one and the same thing. The Greek word BISHOP, says * he, is as much as to say an OVERSEER; and in this sense the Presbyters were likewise Bishops, that is, Overseers: as the Bishops were Presbyters, or Elders, when they presided over the Ecclesiastical Senate, by which the Church was govern'd.

But after all, what you said in your first Memorial about this place of the *Abs.* may not be a bare mistake: for might not the Penman, whom you employ'd, design an illusion upon people, and to abuse this passage by the help of an ambiguous Term, in order to elevate the rights of the Bishops upon the ruins of those of the other Ministers of the Church? And what indeed are mere Presbyters, if compar'd to Bishops? what pitiful Idea do you give of them in your Memorials? Nevertheless it is of those Presbyters that Saint Cyprian has spoke with so much honour and respect, in the Idea that he gives of the Church: *The People united to their Priest, and the Flock keeping to their † Pastor*; the People joined to their Priest, and speaking all the same Language with their Bishop, is what forms the Church. This Church is not the Pastor alone, nor the Flock alone, but the Pastor indivisibly united to his Flock; and therefore, by a Consequence as necessary as it is natural, the voice of the Church is essentially the voice of the one and the other. The late Monsieur de Meaux

* *Episcopus Inspectorum sonat, eoque sensu Presbyteri fuerunt etiam Episcopi, hoc est, Inspectores: ut Episcopi erant Presbyteri seu seniores, cum præsiderent senatui Ecclesiastico, a quo Ecclesiæ regerantur.*

† *Sacerdoti suo plebs adunata, & Pastori suo grex adherens*
Ecclesiæ plebs sacerdoti adunata, Cypr. lib. de Ecclesiæ unitate.

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us'd to say, that the cry of the faithful was the first blow that Truth gave to a growing Errour. They are those Priests, My Lord, whom you treat with so much haughtiness, without whom the great *Ignatius* affirms, that nothing must be done in the Church : *sine collegio Sacerdotum nihil fiat* ; the Bishop must do nothing, but conjointly with the college of the Priests. Wherefore, according to the Judgement of these two illustrious Martyrs, the universal Church is nothing else but the body of all the faithful united to their Pastors. The People alone, I repeat it, is not this Church ; neither are the Pastors alone any more this Church, but the one and the other united : yet in such a manner, that the one explain it self by the other, and that both of 'em be deem'd to explain themselves, and in reality do so, together and at once. Thus the holy Ghost, that was so solemnly promis'd by our Saviour to those assembl'd in his Name, will ever so order it, that all these Voices lawfully united shall never deceive us. From this notion, so clear and so simple, it ought to be concluded, that the People are the necessary witnesses of Tradition ; that indeed the right of judging of it belongs to the first † Pastor, yet onely in matters that concern Religion. It ought to be concluded, I say, that the Testimony of the one, and the Judgement of the other, ought to be heard ; but that it is to the Multitude united, or deem'd to be united, that the right of decideing belongs, and that in this case onely the decision shou'd be regarded as infallible. It must, I say it once more, be concluded, that the People being witnesses, the Pastor, who is to judge, is necessarily oblig'd to consult the Tradition of his Church : that the first Pastor being judge, it belongs to him, together with his Clergy, to clear up this Testimony if it be obscure, or has not all the evidence that it ought to have.

† This Title of first Pastor, which our author frequently uses, does well denote a Bishop, who is but *primus inter pares*, the first among equals.

I am of opinion, and I hope all reasonable and disinterested Persons will be of the same opinion, that this is the most natural Conclusion that can be drawn from the words of Saint *Cyprian* and Saint *Ignatius*: and certainly if in the disputes of Religion the Truth were sought after by so happy an accord, it wou'd soon be found out. But what do I say? even that this same Truth in its native Simplicity wou'd be always separated from every thing that the change of times, or the novelty of language may have introduc'd, retrench'd, or corrupted, in the Doctrines of Christianity.

Thus it was that in the Primitive times, when a Heresy peep'd out, or insensibly got any ground, that happy and infallible resources were found in the ability of the Bishop and his Clergy: being able, I say, to discern in the Tradition of their Church, what was anciently believ'd from what had imperceptibly crept into their Creed, they cou'd immediately unmask all profane innovation. With such sure and sufficient helps, they discover'd with one glimpse what the People had preserv'd of the doctrine of their Fathers, and what either malice or negligence had mixt and alter'd in their principal Articles; in a word, what the corruption of the Age might have infected, or render'd obscure.

Such therefore, My Lord, is the way of discerning that the Pastor and his Clergy, with a common accord and equal zeal, anciently us'd in the Church that was committed to their care. The Pastor, I acknowledge it, has a rank, and is cloath'd with a character, that gives him a lawful right to discern: but the Clergy, acknowledge it on your part, which succeed, and do from age to age as it were perpetuate themselves in a Diocess, is much more vers'd and nearer at hand to discern what has been always believ'd, than a Bishop, who is very often, and almost ever a stranger, especially since the abolition of the *Pragmatick Sanction*: than

a Bishop, I say, who is sometimes educated in Traditions different from those of the Church whereof he has the present Charge. The Bishop and the Clergy are therefore equally necessary, and ought to act in concert in the Ecclesiastical Judgements they are to pronounce, and in the explications that are to be given of sound Tradition concerning any Points contested.

In a Word, My Lord, your right consists in two things: the first is, to clear up particular testimonies; and the second is, to make a juridical declaration of the same. The essential function therefore of Bishops being to explain and declare juridically the testimony of their Churches; it follows, that if a Prelate be wanting to his Flock by Apostacy, Death, Absence, or the like, a neighbour may supply his place: and tis in this case that a small number of Bishops may supply the room of a greater number, in the juridical examination of the testimonies of their Churches; but a small number of Churches must never preponderate over the greater number, for when it once appears that the one and the others have a lawful Succession, the plurality in this second case ought always to carry it over the lesser number. And to this perfectly quadrates the judicious maxim of *Vincentius Livinensis*, which has been so often and so justly quoted on this subject.

The traces and footsteps of this holy Economy may be observ'd in all ages to such a degree, that in case of a Bishop dead, or absent, or renouncing the Faith, the Diocesan Clergy have often taken upon them to judge of Doctrine and Tradition. There's nothing so common in Ecclesiastical histories as these sorts of Judgements; and, without all question, such is the fine Letter of the Churches of *Vienne* and *Lyons* against the Fasts of *Montanus*: such is also another Letter of the Church of *Smyrna* upon the distinction of the Worship due to God, and the respect that is due to Martyrs and their Reliques; two illustrious and venerable Monuments that *Eusebius* has preserv'd to us in his Ecclesiastical

cal history. Such is yet further in Saint Cyprian, the excellent answer of the Clergy of Rome about the Laps'd ; which is as it were the marrow and result of the Tradition of that celebrated Church, concerning the consolation that might be granted to the Penitents. Such, finally, are the sage precautions, which, as we learn from the same Father, were taken by the Clergy of the Church of Arles, against their * Bishop when he became a Novatian ; and which the Clergy of Constantinople knew how to oppose in time against the Heresy of their Bishop Eutyches.

But things are strangely chang'd, My Lord, at this time : and your Penman, persuaded no doubt that they have been always thus, thinks he may from thence lawfully insult the second order, and treat it with excessive haughtiness. In effect, most of the Bishops of our time take upon them to make alone their Pastoral Charge (How great an abuse, what an intrenchment upon Discipline !) and then they cause them to be accepted by their Clergy : whereas, conformably to the ancient rules of the Church, they ought to have consulted them before hand, that those Pastoral Instructions might be, and appear to be, the result of the Sentiments both of the Clergy and their Bishop. Give me leave to tell you, My Lord, that this is a crying and pernicious abuse : it disorders the whole Economy of Tradition, and hinders, or at least retards, any explication that ought to be made of it. Is it not from the neglect which most of the Bishops show for the second order, that so many of its Members appear con-

* Marcian, who, about the middle of the third Century, brought the errors of Novatian into Gaule. Saint Cyprian wrote a fine Letter against this Bishop to Pope Stephen, which the Clergy of Rome sent likewise on the same occasion to the Church of Carthage ; and this holy Prelate, who govern'd it, has a Decree that contains the Tradition with relation to Penitence.

temptible in the eyes of the people? who are scarce ever determin'd but by the authority and external luster of things, at least they regulate thereby their esteem and respect. Can there ever any occasions offer, wherein the counsel and advice of the Clergy of a Diocess may be more useful to their first Pastor, than in the discussion of those truths which form the chain of Tradition? and is it not the inferiour Clergy, that exercise almost alone the most important part of the Ministry? I mean that of preaching the word, of catechising, and those other instructions, to which ordinarily the Bishop has neither the leisure nor the will to apply himself. Who are they then, that can give the surer testimonies concerning the antient belief, and what has been the belief of all times? If one of your Brethren, who 'tis assur'd did refuse to subscribe your Memorials, because he thought 'em not still vehement enough, had vouchsaf'd to condescend so far as to consult his Clergy, in the Charges he has publish'd since he came to be a Bishop, he had found perhaps some one among 'em clear-sighted enough, to keep him from saying, in one of his last Charges about the disputes of our time, that *the Church was mistress of making to her self Systems of Religion.*

It must be agreed then, that they are the ordinary Ministers of the Christian Doctrine, that can render the justest and most exact account to the first Pastor, of the Doctrine they have always preach'd, and taught, and in which they were educated; and certainly none but the secret enemies of Episcopacy dare attempt to deprive it of so great a help, to take from it the assistance and learning of the Clergy. Under the dazzling allurements and the specious pretext of rendering the Bishops a sort of absolute Monarchs, they onely endeavour to make them incapable of every thing: and, I own it with regret, they succeed but too well in this design. They are incessantly buzzing, My Lord, that the Bishop is the eye of the Church, to which I agree without difficulty: but they ought likewise to agree with

with me, that for all this he does not possess the whole sight of it. *Præst in Sollicitudine*, says the Apostle Saint Paul. 'Tis true that he's likewise the voice of his Diocess, the voice of the Church that he governs; he speaks for it, and in its Name, in Councils: but must it be concluded from thence, that he ought to speak alone in the whole extent of his Diocess, and that he is the only witness of the Doctrine and Tradition of his Church? If he speaks in the holy Assemblies in the name of his Church, tis onely because he's entrusted to collect and unite the voices and testimonies of all those that compose his Church: he's over it in fear, God has given to his Church, as the great Apostle says, some to be Prophets, some to be Teachers, some to be † Bishops; each of these has his peculiar Gifts, and the Bishop, who's often the least furnisht with any, has notwithstanding the right of presideing over all, of examineing all these different gifts, to collect and unite all the voices, and to form out of them an unanimous concert to assure the Government of the Flock: For it can never be well guided, except there be a solid Union between the other Ministers and the Bishop, their first Pastor; to whom the Office, the Weight, and the Honour ever appertains, this being one of the foundations of the Hierarchy.

I am not ignorant, My Lord, that all of us Doctors have no other but a doctrinal and economical Judgment, neither have we ever claim'd to our selves, but the right of being consulted and giveing our advices; but I dare take the liberty to tell your Lordship, that we ought to be so call'd, and that good order requires it: for supposeing for one moment that all the Bishops, who form a Council, were ignorant Persons (nor is the thing impossible, and may certainly happen) Supposeing further that the Pope, who is at the head

† The Word Bishop is not in the Original of either of the Texts, to which our author alludes; viz. 1 Cor. 12. 28. Ephes. 4. 11.

of them, knew no more than they ; wou'd it not then, pray, be absolutely necessary to have recourse to the second order ? Let me recall to your mind on this occasion, My Lord, a Saying of the celebrated Cardinal of * *Arles* at the Council of † *Constance* ; where you know perhaps that he had a deliberative voice, tho he was then but of the second order. He saw the Chancellor of the University of *Paris*, the great *Gerson*, who had been just speaking of the matters agitated in that Council, with marvellous success and a general applause ; he saw him near a good Archbishop, who had doz'd out the whole time, and who pass'd for no very great conjurer ; *what comparison* (cry'd he, pointing to *Gerson*) *between that able Doctor and that same Archbishop ?*

Will you run over the first twelve or fifteen Centuries, My Lord, those Ages wherein the first order of the Church had not yet oppress'd the second ; and you'll see what figure those *meer Priests*, whom you affect so much to depress at this time, have made therein : especially in the Councils, to which they were always call'd, beginning with those of *Jerusalem*, where the Elders or Presbyters never fail'd to be present, and where their testimony was of so great weight. Run over all the primitive times, and you'll find from age to age, what influence those Elders had in all the Ecclesiastical Assemblies. Run over the Acts of all the Councils, whither they were so often call'd to give their testimony ; and you'll regulate thereby, in what esteem you ought to have them.

* Of the German Family of Bugey. It was he that made *Eugenius* the fourth to be depos'd in the Council of *Basil* ; and *Amadeus* the 8th, Duke of *Savoy*, to be chosen under the name of *Felix* the 5th.

† See the History of it lately publish'd by *Monsieur L'entant*.

§ In this Council it was endeavour'd to deprive the second order of their deliberative voice, but it was preserv'd to them by the Cardinals *D'ailly* and *Saint Mark*.

What

What reason, think you, had Saint *Paul* in his first Epistle to *Timothy*, after haveing ended his Discourse about Bishops at the end of the seventh verse, to proceed immediately to the Deacons in the 8th, without makeing any mention of the Priests? God forbid I shou'd run here into the same excess with *Aerius*, *Wic-les*, *Luther*, and so many other Hereticks; who have maintain'd, that he pass'd so suddenly from the Bishops to the Deacons, because he acknowledg'd no difference between Bishops and * Priests. The interpreter of Saint † *Ambrose* has not so much exceeded upon this passage, contenting himself to speak in this manner: *¶ the ordaining of a Bishop and a Presbyter is the same, because they are both Priests.* 'Tis true, that, after haveing spoken with this wise moderation, he adds, *** but the Bishop is first, as every Bishop is a Presbyter, but not every Presbyter a Bishop;* looking no doubt upon this second corrective to be necessary. Others, and indeed the crowd of Commentators, say, that in the time of the Apostles the word Bishop was common to all Presbyters; as no body can doubt of it, who reads the passage of the book of the *Acts*, whereof I have already spoken, the first Chapter of the Epistle to the *Philippians*, as also of that to *Titus*: and this is likewise what Saint *Anselm*, Saint *Thomas*, as well as many moderns, have said upon this subject. There were others of opinion, and tis an opi-

* Neither can the author of this Letter, without contradicting himself, acknowledge any difference between them of divine right; whatever aversion he must show in his discourse to the first Reformers, which is easily understood by what goes before and after.

† Commentator Ambrosianus, thought to be Hilary the Deacon.

§ Quia Episcopi & Presbyteri una ordinatio est, cum sit uterque Sacerdos.

** Sed Episcopus primus est; ut omnis Episcopus Presbyter, sed non omnis Presbyter Episcopus.

nion still sufficiently authoriz'd, that in the time of the Apostles, the Presbyters who were charg'd with the cure of Souls, did bear alone, and exclusively of all other Presbyters or Elders, the title of Bishops; which Sentiment is very probable.

If you consult Tradition, My Lord, certainly it will furnish you with no examples that can any way justify the contempt you show for Presbyters: *between a Bishop and a Presbyter there is scarce any difference*, says the great Saint * *Chrysostom*, for the former are superior by ordination only. What has not been said, and what has not been writren, by Saint *Jerom* in favour of the second Order of the Church? He often repeats, and an infinite number of people have said it, and still say it every day after him, that three quarters of the advantages and of the authority of Bishops, that the greatest part of their jurisdiction and power, belong to them by virtue of their being Presbyters, whereof Episcopacy (to speak with exactness) is but the complement and augmentation.

You'll questionless say with † *Eftius*, that this Father has not affected to confound almost the Bishops with the Presbyters, but in order to humble the pride of *John*, Patriarch of *Jerusalem*, from whom his Brother *Paulinus* and himself had receiv'd many rude treatments; and likewise to repress the audaciousness of some Deacons, who had the temerarious presumption to exalt themselves above the Presbyters. But besides that the reasons this father had to speak so in his time do subsist still stronger in ours, at least as to the first head; yet I cou'd object an infinite number of things

* Inter Episcopum atque Presbyterum interest summe nihil solâ namque Ordinatione superiores illi sunt.

† In his Notes upon the first Epistle to Timothy.

to the two § motives attributed to him, when he spoke in that manner, did I not fear to make this Letter too long. I shall allow then, but not grant, that this Father had it really in his view to pull down the pride of some Persons of his time; but it was the Pride of the Bishops of that age, who had begun already to arrogate to themselves a tyrannical dominion in the Church.

Now, My Lord, I must return to your Memorials, and finish here this long digression. Immediately after the passage, which has given birth to it, you alledge a text of Saint Matthew, *then the eleven* Cap. 28. *Disciples went away into Galilee,* at the side of Ver. 16. which Words you thus express your selves:

the rights which we t'is day reclaim are those of Jesus Christ himself; who being upon the point of returning to his Father, he assembl'd upon a Mountain, not his Disciples, but onely his Apostles. One might wrangle with you about the word *Disciples*, which is in the sacred text; but as it is in some sort synonymous to that of *Apostle*, I don't think it worth while to insist on this difficulty: but yet as slight as it is, your Penman ought to have foreseen it. Moreover, the exclusion which you put in your text, is not in that of the Gospel; and Interpreters believe, that it was at the time whereof you speak, that Jesus shew'd himself to above five hundred brethren. A much greater difficulty is that which results from a citation you make out of Saint Ignatius. *The Bishops*, says this Father in

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your Memorial, contain within themselves the whole Ecclesiastical power; a power that demands the Submission of the PRIESTS, as well as that of the rest of the faithful: and then you cite in the margin these words of his Epistle to the Trallians; * the Bishop holding all their Principality, and the Power of them all. This passage is strong, it must be own'd, but unluckily it is not to be read in the genuine Epistle of this Saint to the Trallians; and you'll find perhaps that it is out of some of those Apocryphal Epistles that are attributed to him. But yet in answer to your passage, which has been without all doubt forg'd by some ambitious Bishop of antiquity (for in all ages some of 'em have deserv'd this character) I shall now cite to you a passage out of the genuine Epistle of this Saint to the same Trallians. † Let all of you, says he, in like manner reverence the Deacons, as the commandment of Jesus Christ, and the Bishop as him who is the figure of the Father, but the Priests as being the Senate of God, and as the conjunction of the Apostles. Without these no Church can be so call'd, which I am persuaded you likewise believe. 'Tis something pretty singular, My Lord, that to a passage out of an apocryphal Epistle of Saint Ignatius, which you cite in favour of your order, I shou'd oppose in favour of ours, another passage out of the genuine Epistle of the same Saint: and it may be said that the Rector of the University of Aix has acted in conformity to the doctrine of this Father, by stopping a Thesis, which

* Episcopus omnem principatum & potestatem illorum omnium tenens.

† Cuncti similiter revereantur Diaconos ut mandatum Dei, & Episcopum ut eum qui est figura patris, Presbyteros autem ut confessum Dei, & ut conjunctionem Apostolorum. Sine his Ecclesia non vocatur, de quibus persuasum habeo vos ita sentire.

§ The most singular thing is, that these two Sets of Epistles are alternately made to pass for Genuine or Apocryphal, according to the cause they favour, be it Episcopacy or Presbytery, Arianism or Athanasianism: whereas the real truth is, that they are both of 'em equally forgeries, but this is not the place to make it out.

Monſieur de Cabanes was to have defended this very month; and wherein, ſpeaking of the Definitions of faith, he had inſerted this Propoſition in his laſt poſition: *ad condendas ejuſmodi definitiones ſoli juſ habent Epifcopi*; the Biſhops alone have the right of framing ſuch definitions.

But, my Lord, what has excited all the world againſt your Penman, and render'd his writings utterly deſpicable, is his falſification in the ſame page of a paſſage of Tertullian. 'Tis by the number of the Biſhops, ſays he with a little air of victory, that Tertullian, after becoming a Montaniſt, deſin'd the Church; and he cites in the margin theſe abbreviated and mangl'd words: *Eccleſia numerus Epifcoporum*, lib. de pudicit. cap. 21. ſub finem, Rigaltii. We muſt now therefore ſet before the eyes of all the world the infidelity of this writer, and inſert here the entire paſſage of this father, ſuch as it ſtands in that very edition of Rigaltius which he cites. * *Et ideo Eccleſia quidem delicta donabit; ſed Eccleſia ſpiritus per ſpiritalem hominem, non Eccleſia numerus Epifcoporum*: which is to ſay, the Church will forgive Sins; but 'tis the ſpiritual Church by the ſpiritual man, not the Church which is the number of Biſhops. The punctuation is exact, for this is a thing that muſt be remark'd, and here's the note of Rigaltius, upon the words, *non Eccleſia numerus Epifcoporum*, that form the difficulty. *Eccleſia delicta donabit, ſed Eccleſia ſpiritus, hoc eſt, Eccleſia quæ ſpiritu gloriatur, qui Deus eſt, qui ſolus delicta donare poteſt: non Eccleſia quæ vincit numero Epifcoporum. Paracleticam ſive Montanicam paucitatem oppoſuit multitudini Catholicorum: Sic enim ait libro de Jejunio, majorem vim imperitorum, abud gloriſſimam ſcilicet multitudinem Psychicorum*. That is, the Church will forgive Sins, but 'tis the Church of the Spirit, the Church which glories in the Spirit, which is God, who alone can forgive Sins: not the Church which exceeds in the number of Biſhops. He oppoſes

* Rigault was a Counſeller in the Parliament of Metz, and the King's Library-keeper. See Obſerv. ad. Tertull. Rigalt. p. 125.

ses the Paracletick or Montanist Paucity to the number of the Catholics: for thus he says in his Book of *Fasts*, that the ignorant prevail most, with the most boasting multitude of the sensualists. It is plain then, if you judge of this matter by the text, that *Tertullian* meant that the number of Bishops does not make the Church, *non Ecclesia numerus Episcoporum*: and we as plainly maintain this to be the meaning of *Rigaltius*, not the Church that exceeds in the number of Bishops; for to answer the thought of *Tertullian*, tis as if he had said, *non Ecclesia ea, quæ vincit numero Episcoporum*. My Lord Bishop of *Angers*, who passes in the world for the author of those Memorials, did endeavour to justify his citation at Mademoiselle de *Coupiigny's* House, where there is every tuesday a select circle of * Wits, but he could persuade no body: for supposing it had been fact that *Tertullian*, who was then a Montanist Heretick, and whose testimony therefore wou'd be no longer of any weight, had made the greatest number an essential and characteristick mark of the Catholick Church, and that in the Text of this Father, *non Ecclesia numerus Episcoporum*, there ought to be understood according to his thought, *quæ est*, as some people likewise pretend it ought, to make it *non Ecclesia quæ est numerus Episcoporum* (because in this place, say they, he opposes the invisible Church of the Montanists to the visible Church of the Catholics) it wou'd be still manifest, that the passage is alter'd and unfairly quoted, which renders the author's conduct inexcusable. Nay, supposing for a moment, that *Tertullian's* thought was that which the Lord Bishop of *Angers* pretended to prove at Mademoiselle de *Coupiigny's*; why is the *non* expung'd out of the passage, which in this very sense did not superabound? Let it not be said by any means, that this alteration happen'd by negligence, neither let it be imputed to the fault of the printer: for if in effect,

* Since the writing of this Letter, the assemblies that were held at Mademoiselle de *Coupiigny's* House are forbid.

there had been a mistake in the marginal note, yet the same fault wou'd not be found in the Translation, nor in the Explication that is given of this Passage. In a word, in what light soever you behold the Conduct of this Writer, there is a great deal of insincerity to be perceiv'd in it throughout.

You say afterwards, My Lord, *that the Prelates have often done the honour to the Faculties of Theology to consult them, and to demand their Sentiments upon points of doctrine. Ever since the thirteenth Century, add you, the Bishops of Paris have introduc'd this Custom: and in process of time the Doctors, who were wont to give their opinion when required, gave it also of their own heads, tho' not requir'd. They join'd thereto the qualifications of the Propositions, and these sorts of Judgements were call'd Doctrinal. But Gerson wisely remarks, that the Doctors hold from the authority of the Pope, the liberty and power which they have of giving Doctrinal advices; in such sort nevertheless, that these Advices be subordinate to the Judgement of the * Bishops. The Prelates, its true, have often consulted the Faculties of Theology, especially ours; but what are we to conclude from thence? even that they had need of our knowledge: and that at the same time that they gave these Doctrinal advices at the request of the Bishops, they might equally well have done it, without being required or entreated. The famous Assembly which the Faculty of Paris held in the fourteenth Century in the Castle of † Vincennes, upon the doctrine of Pope John the 22d, in the presence of King Philip de Valois, having at their head the || Patriarch of Jerusalem, and Peter Roger Archbishop of Roan, two of its most celebrated Doctors, is an excellent proof of this assertion. This Pope, as every body knows, did err concerning the state of Souls after their separation from the body: the Doctors of Paris censur'd his Propositions, and it*

* Gerson, lib. de examinat. Doctrinarum. † In the Year 1332. || Peter de la Palu, of the Order of Saint Dominick.

was upon their report that the King oblig'd him to retract them. Moreover, it is not as much as even to know what has past in the last age, to say, as you do, that the Bishops of *Paris* have introduc'd this custom; since the faculty of Theology has maintain'd it self in the Possession of this * right, even in spite of them. Nor indeed is any Person ignorant, unless we except your Penman, that the Bishops of the house of *Gondi* did vigorously contest this Prerogative to our Faculty, in the beginning of the last Century; and that at last they fail'd in their Pretence, the Doctors haveing preserv'd this right, and never departing from the same. To be short, I summon here as witnesses our greatest Magistrates, but above all our advocates general, and particularly the illustrious Monsieur *Talon*, who has done so much honour to the Parliament of *Paris*. Do they not all say, and is it not verifi'd by the Registers of this respectable Tribunal, that it is of natural right to consult the ablest Persons; and that consequently it is likewise of natural right, that the ablest Persons shou'd give their advice about difficult questions, and such especially as have an essential relation to the Faith? Now therefore I put the question to you, my Lord, whether what is of natural right, can ever be look'd upon as the particular concession of any Ecclesiastical or secular Powers? It is every whit as absurd to say it, as to think it. The Privilege, which the Doctors have to give their advice about Matters of Faith, belonging to them of natural right, according to the Oracles of the Palace which I have just cited to you, *Gerson* cou'd not say, that they held it from the authority of the Popes. It is true, and I acknowledge it without difficulty, that as the Universities have not been erected but with the consent and under the good Pleasure of the sovereign Pontiffs, it wou'd

* *Father Simon has inserted all the acts relating to this affair in his collection, or Bibliotheque Critique, which he publish'd some Years ago under another name.*

seem as if it were from the same fountain that spring all the right they have to decide in matters of Faith and Religion. But to this it ought to be answer'd, that a Faculty of Theology being once establish'd, this right belongs to it from that time forwards so essentially, that it can never be depriv'd of it: and this privilege, from the moment of its establishment, becomes its primitive and constitutive right; a right, in one word, which is ever suppos'd from the time of its erection. Briefly, it is certain that the Popes may hinder or retard the establishment of a Catholick University, this being within the verge of their Power; but once they have consented to its erection, they cannot deprive it of a right which so essentially characterizes it, that it wou'd cease to be what it is, cou'd it be stript of the same.

But are you very sure, My Lord, that *Gerson* says precisely what you make him speak? I have read with exactness and attention the two Parts of his *examen of Doctrines* which you cite: and I find him very farr from speaking so hardly, as you suppose him, of Societies he so much esteem'd. However, this is not the first instance of your Penman's falsifying the text of the authors whom he quotes: being doubtless vers'd of a long time in these sorts of infidelities, he makes 'em say (without blushing) the very contrary of what they have said.

I shall here therefore present your Lordship with all that I have found on this subject, in the illustrious Chancellor of the University of *Paris*; and you shall judge your self, whether he be fairly quoted. *The Rulers of Christendom*, says he *, *must carefully provide, that the*
study

* *Providendum est sedulo per Christianitatis rectores, ne studium Theologicæ veritatis depereat, sed alicubi resideat velut in fonte: alioquin timendum est, ne superseminentur hæreses*
cum

*study of Theological truth may not perish, but may reside somewhere as it were in its fountain: for otherwise it is to be fear'd, lest heresies and tares shou'd be sown among it, through the various Sentiments of so many heads, and the diversity of so many passions, whence there must follow a multiplication of Judgements. And if recourse be not had to Divines not depraved, and collected into one body; who, I pray, can provide in such a case? Then he adds these remarkable words, which are farr from quadrating with the discourse you make him hold. † If any shou'd say, let recourse be had to the See and Court of the Pope, we wou'd not refuse this Proposal, if Divinity had there but two Doctors, that were not partial, or brib'd, or seduc'd; not proud, nor covetous, nor envious; not more devoted to the secular or spiritual Power, than they are to truth; for otherwise it wou'd be much better to have none, than to suffer such as these. The respect of Gerson for the Bishops of his time, was not, as you may perceive, either implicate or excessive; of which you may still judge better by the sequel of his Text, where he makes to himself the threadbare Objection of the enemies to Scholastick Theology. What * have we or the Church*

cum Zizania, propter tot capitum varietatem, tot insuper passionum diversitatem, unde multiplicatio sequitur judiciorum; ubi si desit recursus ad Theologos non depravatos, & in unum collectos, quis, oro, providebit? Consider. 7. 2 part. de Examinat. Doctrin.

† Si dixerit aliquis, fiet recursus ad sedem & curiam summi Pontificis; non negabimus hoc, si Theologia illic habuerit duos Doctores non partiales, non seductos, non fastuosos, non quæstuosos, aut invidos, non potestati seculari, non spirituali, pliusquam veritati faventes: alioquin tolerabilius esset nullos habere, quam tales pati. *ibid.*

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says * he, be join'd to this consideration. The first truth is, that supposing any mere Priest or Layman, no way authoriz'd, shou'd be so excellently learned in the Scriptures, that more credit ought to be given to his assertion in a point of Doctrine, than to the Pope's declaration (for the Gospel is sooner to be believ'd than the Pope) if such a learned Man shou'd teach any truth to be contain'd in the Gospel, about which the Pope either knew nothing, or † WILLEFULLY ERRED, it is self-evident, whose Judgement ought to be preferr'd. The other truth is, that such a learned man ought, in case a General Council were assembl'd, and he present at it, to oppose himself to the same; shou'd he find that the greater part inclin'd, out of malice or ignorance, to decree the contrary of what is in the Gospel. The most blessed Hilarius has given us an || example of this conduct. What Gerson says here of a single Doctor with regard to the Pope, and even of a General Council, he has said in a hundred places, and still more conclusively against the Bishops. I am not very sure, my Lord, that your Penman will be so ready another time, to cite this author or appeal to his testimony.

What wou'd he say ('tis of Gerson that he still speaks) whom he will have right or wrong to plead the cause of?

* Jungatur huic considerationi duplex veritas. Prima, si ret quòd aliquis simplex, non autorizatus, esset tam excellentè in sacris literis eruditus, quòd plus esset credendum in doctrinali suæ assertioni, quàm Papæ declarationi (constat plus esse credendum Evangelio quàm Papæ) si doceat igitur talis eruditus veritatem aliquam in Evangelio contineri, ubi & Papa nesciret vel ultro erraret, patet cujus præferendum sit Judicium. Altera veritas, talis eruditus deberet in casu, si & celebraretur Concilium Generale, cui & ipse præsens esset, se opponere; si sentiret majorem partem ad oppositum Evangelii, malitiâ vel ignorantia declinare. Exemplum beatissimi dedit Hilarius. Consider. 5. 1 Part.

† These words ought to be very maturely weigh'd.

|| Saint Hilary pronounc'd Anathema three times against Pope Liberius: and Eusebius, who was but a mere Priest, boldly oppos'd himself to this Pope's Doctrine, and told him to his face that he erred.

of the 28 Bishops, which upon this occasion is certainly to make him act a very comical Personage) *what* wou'd he say, if he heard the Publication of those incompatible Declarations? Whereof some, being carry'd to the foot of the throne by twelve Doctors, assur'd the King of a ready obedience; and whereof others, since the death of this Prince, declare it to be false that he was obey'd. In answer to this fine and curious allegation, I shall say here, what has been repeated a hundred times; that the Deliberation of the Faculty, on the 5th of March, 1714, wherein you triumph so much, was forc'd by the advice of the Abbot *Leger*: who, to reconcile the obedience that an absolute Prince, and one who wou'd not be contradicted, requir'd to his orders, with the love of truth, and our zeal for it, conceiv'd this temperament. I mean, to agree to register the King's Letters with the * Bull; and at the same time to send a deputation of some Doctors to his Majesty, to demand the permission of him to labour in the strengthening both of Doctrine and Discipline: this being a temperament that appear'd very wise and prudent, especially at a time when no body cou'd speak freely with any safety, and which but too well portray'd out to us the unhappy intrigues of the Councils of *Ariminum* and *Selenucia*, on occasion whereof Saint Gregory Nazianzen so handsomely express himself. *The Ink was before, says he †, and the Accuser behind.* If any refus'd signing, his adversary was ready to ruin him. Promises were made to some, and menaces us'd against others, in lieu of all good reasons: there were a multitude of Letters under the private Signet, which the Ministers of this Persecution might arbitrarily fill up with the names of those they did not love: some were ex-

* *Constitutio, una cum duabus literis, inscribenda—dirigantur duodecim seniores, qui—novum in tuenda presidium implorent—*

† *In promptu atramentum erat, & Calumniator a tergo. I follow the Latin Citations of my Original, both as to this Father and Ignatius, &c.*

pell'd out of the *Sorbonne*, and others exil'd; a lamentable catastrophe, whereof none can speak without grief and abhorrence.

I say therefore, my Lord, what a hundred others have said before me, and very well prov'd, that Registering is not always an act of acceptation and an authentic approbation of the piece, which is so register'd. In effect, when a secular Prince obliges us to register the Regulations or Decisions of an Ecclesiastical Power, which we know ** not to be infallible*, we are in no wise oblig'd (by our bare registering of such things in obedience to a Prince, who has a right to hinder and stop the course of such religious Disputes, as may endanger the repose of his Dominions) we are not oblig'd, I say, to approve the Doctrine of this Ecclesiastical Power; especially when some, on the one hand, are scandaliz'd at it; and that some, on the other hand, pretend a right from thence to authorize their errors. Your Lordship pretends no doubt that the Registering in question, did express a pure and simple acceptation: but whoever speaks so, does authorize the crime of those, who are well known to have falsify'd the Decree of the Faculty, *Anno 1714*. And why, my Lord, did you say in your Memorials, *twelve Doctors deputed to the King*? when none of you is ignorant, that there were but six; as the Cardinal of Rohan particularly, who treated them so splendidly at *Versailles*, shou'd be the first to remember it. Monsieur *Chaudiere*, with whom he had divers little bickerings, and even some agreeable contestations upon the matter then in hand, is a witness without reproach of this truth; and he has taken great care to acquaint every body with it, and to repeat it to such as he thought might have forgot it. It is true indeed that the Conclusion marks 12 Deputies, but they were reduc'd to six. People shou'd never depart from the

* *A Bob for his Holiness.*

truth, even in the smallest matters, or the most indifferent points.

In the excursion you make against the Rector of the University, you compare him without any management to an antient Rector of the same body, who apostatiz'd in the last age but one. The Comparison is very odious, and it may be said that none has less merited it than Monsieur de Montempuys, who is at present Rector of this famous University. But you push your reflection much further still, and insult the whole body, by comparing the University of *Paris* to that of *Wittemberg*, which *Luther* drew into his * Apostasy. Thus begun, say you, about two ages ago the Heresies that have been so fatal to this Kingdom; so they express'd themselves under the imperious *Luther* in the University of *Wittemberg*, when the Bull of *Leo* the tenth was treated there with the same indignity, that the followers of *Janfenius* treat that of *Clement* the eleventh; so spoke at that time the Rector of the University of *Paris* (you name *Copus* in the margin) who, at the head of the body which he afflicted by his Apostasy, united himself to the enemies of the Church, whose decisions he despis'd. I pass over the parallel, which is farr from deserving to be seriously confuted, and I stop onely at a most gross contradiction of your Penman: for how indeed cou'd the University be afflicted at the Apostasy of *Copus*, if it be true, as he says, that it join'd its Interests to those of this Rector, in favour of the enemies of the Church? Confess, My Lord, that there is a good deal of Stupidity in this part of your Memorial: besides, that what is personal in it with regard to Monsieur de Montempuys, and Monsieur *Pourchot* the Syndick of the University, has offended all honest men; every body has done 'em justice, and own'd that they have not in the least deserv'd such expressions. Whence then can proceed the rage of your Penman against those Gentlemen? Is it

* People must speak in this strain, who have not actually broke Communion with the Church of Rome.

because they have confuted in their publick Discourses what is in the Pastoral Charges of the Archbishop of Rheims, against the body whereof they are the heads, and more especially against the Faculty of Theology? Alas! the Parliament has sufficiently authoriz'd their conduct, and the cloud of arrests issu'd against the conduct of this Prelate, are not the properest in the world to justify the conduct of your Penman.

But now we come to another head of your Memorial, which merits a fresh attention, and which is of another-guess consequence. Your Royal Highness (as you are made to speak) being perfectly vers'd in the events of this Monarchy, needs not to be put in mind of those strokes so well markt out in our histories, and so proper to make known to what excess the Universities have been carry'd, when they have once broke the rein that is impos'd on them by the Ecclesiastical and the Civil Laws: wherefore, farr from entering into a detail, which, notwithstanding our just indignation, wou'd cost something to our charity, we agree without any difficulty, that when those B'dies continue attach'd by a constant submission to the Church and to the Bishops, they may be useful to the same Church. In the margin just over against those words, those strokes so well markt, you have been at the pains to cite the histories of Henry the third and Henry the fourth. 'Tis very plain that you had in your view, and design'd to speak of the two false Decrees, which appear'd under the name of the Faculty, in the tempestuous times of the League; but this is an old Calumny destroy'd ever since that very time by two great * magistrates of the Parliament of Paris, the one was President of it, and the other Solicitor General: a calumny, I say, which the enemies of the Faculty have very lately renew'd; and which twenty four Bishops, Doctors of this body, tho perhaps without haveing extremely merited this degree (at least the greater part of them) have not been asham'd

* Monsieur de Harlay, first President, and Monsieur de la Guesle, the Solicitor General.

to adopt, in a Memorial presented to the Regent of the Kingdom. I beg leave to borrow in this place the testimony of a Protestant, but of an able and sincere Protestant, who liv'd in the time of those two Kings. I speak of *Casaubon*, who in his 24th Letter address'd to *Fronto Ducæus* a Jesuit, that had sent him the *Amphitheatre* of honour (that Book of *Charles Scribanus*, which made so great a noise) speaks to him thus about this Apologist of the Jesuits. He * *shon'd* have gone to the Sorbonne, and consult the Doctors of that most famous School. The Sorbonne wou'd have taught him, how dangerous it had been hitherto in France to be ignorant of this (that the Popes have no right over the Temporalities of Kings) *she* wou'd have told him, how often *she* had agreed with the Arrests of the Parliament of Paris, when it severely animadverted against People, who spoke much less obnoxious things than *Scribanus*.

This passage of *Casaubon* does honour to the Faculty of Paris, and clearly shows the falsity of what has been formerly advanc'd by the Author of the *Politicks* of the Clergy among a great many other calumnies, that in the reigns of Henry III, and Henry IV, the whole Faculty had maintain'd the opinion of the Ultramontans, about the Power of the Popes, to dethrone Kings for cause of Heresy. Monsieur *Arnauld* wrote a book expressly to confute this Calumniator, and to justify his Society against so odious an † imputation. But tis surprizeing that he has not cited this fine passage of *Casaubon*, which does so great honour to the body of which he was. There's a great deal of probability he had not read it; and that this fine Letter, so very curious, and particularly so advantageous to the memory of the celebrated *Arnauld* his Father (whom

* Adiret igitur Sorbonam, & celeberrimæ illius scholæ Doctores consuleret. Doceret eum Sorbona, quàm fuerit hætenus in Galliis periculosum hoc nescire : narraret quoties ipsa ordini amplissimo assensum præbuerit, severe in eos animadvertenti, qui mitiore longè quàm *Scribanus* dixissent.

† He entitul'd his book, The Apology of the Catholicks.

Casaubon defends against the horrible calumnies of *Scribanus*, and from those of Monsieur *de la Boderie* the Ambassador of France in England, whose Daughter was marry'd to Monsieur d' *Andilly* his brother, being mother to Monsieur *de Pomponne*) that this Letter, I say, was not known to him: tho every body did themselves a pleasure, by furnishing him with Memoirs, relating to all the subjects on which he wrote. Be this how it will, *Casaubon* praises very much in this Letter the Faculty of Divinity upon the purity of its Doctrine, and the great men it then had. I repeat it therefore, My Lord, that whatever is alledg'd in the pitiful Libel you have copy'd, is a Calumny. For besides that those Decrees are not to be found on our Registers, and that we find on the contrary the answer, which our oldest Doctors gave to the *Parisians*, who consulted them to know, whether with a safe conscience they cou'd acknowledge for their King *Henry IV*, tho continueing a Heretick; which answer determin'd them at last, by the consent of all Historians, to receive him into their town. We further observe that those Decrees, be they of what nature you will, do not bear any of the Characters which cou'd give them at that time the form of Juridical Acts of the Faculty; since they are not subscrib'd either by the Dean, nor by the Syndick, who were then at the head of this Faculty: and that our Registers do further prove, that these two principal Officers protested against those pieces which they highly disapprov'd as null and void, as soon as they came to their knowledge. Moreover at that difficult time, when the Faculty was all dispers'd, or had almost quite disappear'd, and that Informers made every body tremble, it is not very surprizing, that, after having seen the whole Parliament led in a body to the *Bastile* by the Leaguers, and even to see one of their principal * Magistrates cruelly executed, some affrighted Doctors, or such as were devoted to the

* The President *Brisslon*, a man of extraordinary learning, was hang'd.

League (such as the famous † *Boucher*, the Curate of *Saint Bennet*) shou'd forge Decrees, which most certainly were never look'd upon by any disinterested Persons, as the work of the Faculty.

But permit me to tell you, My Lord, that the reproach with which you now load a famous body of men, whereof twenty four among you have the advantage to be Members, becomes you Bishops less than any other Folks. I beg you to tell me sincerely, who were the heads of that same formidable League, whereof you are pleas'd to revive the memory? Have you forgot, that they were Cardinals, Archbishops, and Bishops? The Cardinal of *Guise*, whose pernicious intrigues drew upon him so fatal an end at the States of § *Blon*, was he not the principal author of it, the very Soul and first mover of it, if I may so express my self? as under his direction *Peter d'Epinae*, Archbishop of *Lyons*, to whom his rage against the Royal Family procur'd the title of Chancellor of the League, ran to all the excesses imaginable. The famous *Ienebrand*, Archbishop of *Aix*, who, haveing never acknowledg'd *Henry* the 4th, dy'd in exile; and *Roze*, Bishop of *Senlis*, that furious Leaguer, without mentioning many others who have done no great honour to your order, were they not either the heads or the chief supports of this famous party?

The Wisdom therefore and the Discretion of my Lords the Bishops of *Laon*, *Condom*, *Montauban*, *Auxerre*, and *Agen*, cannot but be approv'd, who wou'd never subscribe a Memorial so full of passion and extravagance from one end to the other: a Memorial, I say, which,

† He dy'd Dean of Tournay many years after.

§ He was assassinated there, together with his brother the Duke of *Guise*; and it was the Cardinal of *Lorraine*, their Uncle, that had form'd the Plan of the League at the Council of *Trent*, whereof he was President.

to open my self to you with my ordinary frankness, does
 so little honour to the Episcopal Order, and which
 ought to have made some of those who sign'd it to
 blush, when the warmth of their heads was a little
 allay'd, and that they read it over again in cool blood.
 I am with respect,

My Lord,

Paris, May the
10th, 1717.

Your most humble, &c.

F I N I S.



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